Francis J. Earley (FE-7520)
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.
666 Third Avenue
New York, New York 10017
(212) 935-3000

*Attorneys For Australian Gold, Inc.*

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

| | |
|---|---|
| S&L VITAMINS, INC.,<br><br>Plaintiff/Counterclaim Defendant,<br><br>v.<br><br>AUSTRALIAN GOLD, INC.,<br><br>Defendant/Counterclaim Plaintiff. | 05 CV 1217 (JS)(ML)<br><br>**PROPOSED ORDER** |
| AUSTRALIAN GOLD, INC.,<br><br>Third Party Plaintiff,<br><br>v.<br><br>LARRY SAGARIN AND JOHN DOES, 1-10,<br><br>Third Party Defendants. | |

Upon consideration of the Defendant/Third-party plaintiff Australian Gold, Inc.'s Memorandum of Law in Support of Its Motion To Amend Its Answer, Counterclaims and Third-Party Complaint, along with the accompanying Proposed Second Amended Answer, Affirmative And Other Defenses, Amended Counterclaims And Amended Third-Party Complaint, any

Dockets.Justia.com

opposition submissions, any reply submissions, and the arguments of counsel, it is hereby ORDERED:

(1) that Australian Gold may amend its Answer, Counterclaim and Third-Party Complaint; and

(2) that Australian Gold's Second Amended Answer, Affirmative And Other Defenses, Amended Counterclaims And Amended Third-Party Complaint is deemed filed on the date of this order.

Dated: August ___, 2005

SO ORDERED:

_______________________________

The Honorable Joanne Seybert
United States District Judge